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| 20738 7590 07/06/2007 THOMAS P O'CONNELL 1026A MASSACHUSETTS AVENUE ARLINGTON, MA 02476 | | | EXAMINER GUZMAN, APRIL S | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/650,501 | SAMA ET AL. | |
| | Examiner | Art Unit | |
| | April S. Guzman | 2618 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-91 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-91 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/27/03, 11/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Information Disclosure Statement

The information disclosure statements submitted on 08/27/2003 and 11/12/2004 have been considered by the Examiner and made of record in the application file.

Specification

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-91 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **claim 1** (page 39 lines 8-10), Applicant claims “providing a wireless communication receiving unit for being retained relative to a second mobile body wherein the wireless communication sending unit comprises means for receiving the signal emitted by the wireless communication sending unit” It is not clear why the sending unit comprises means for receiving the signal it emits and if the sending unit does receive the signal it emits than why is Applicant differentiating between the receiving unit and sending unit.

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Regarding **claim 32**, (page 45 lines 13-15) Applicant claims “providing a plurality of wireless communication receiving units, each for being retained by a person who is to receive information, wherein each wireless communication sending unit comprises a means for receiving the signal emitted by the wireless communication sending units” It is not clear why the sending unit comprises means for receiving the signal it emits and if the sending unit does receive the signal it emits than why is Applicant differentiating between the receiving unit and sending unit.

Regarding **claim 63** (page 52 lines 1-3) Applicant claims “a wireless communication receiving unit for being retained relative to a second mobile body wherein the wireless communication sending unit comprises means for receiving the signal emitted by the wireless communication sending unit” It is not clear why the sending unit comprises means for receiving the signal it emits and if the sending unit does receive the signal it emits than why is Applicant differentiating between the receiving unit and sending unit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-12, 19-50, 57-70, and 77-91 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kabala (U.S. Patent # 6,539,393)** in view of **Chaco et al. (U.S. RE37,531 E)**.

Consider **claim 1**, Kabala teaches a method for the wireless retrieval of information regarding mobile bodies and for disseminating content based on retrieved information (Abstract), the method comprising the steps of:

providing a wireless communication sending unit for being retained relative to a first mobile body wherein the wireless communication sending unit comprises a means for emitting a signal (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

providing a wireless communication receiving unit for being retained relative to a second object wherein the wireless communication sending unit comprises a means for receiving the signal emitted by the wireless communication sending unit (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

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providing a central server for retaining information (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

providing a wireless access point (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45); and

establishing a wireless local area network arrangement involving the wireless communication sending unit, the wireless communication receiving unit, the central server, and the wireless access point (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45).

However, Kabala fails to specifically teach a second mobile body.

In the related art, Chaco et al. teach a second mobile body (column 3 lines 12-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chaco et al. into the teachings of Kabala for the purpose of having a compact and intelligent badge or bracelet attached to an object or facility personnel for determining the location of the object or facility personnel wherein the portable badges or units are compact in size and include capability to optimize the efficiency of operation.

Consider **claim 2, as applied to claim 1 above**, Kabala as modified by Chaco et al. further teach comprising the step of causing a signal to be emitted from the wireless communication sending unit (Kabala – column 2 lines 13-26, column 2 lines 42-56, column 3 lines 48-62, and column 4 lines 29-40).

Consider **claim 3, as applied to claim 2 above; claim 33, as applied to claim 32 above**, Kabala as modified by Chaco et al. further teach comprising the step of receiving a signal from the wireless communication sending unit by the wireless communication receiving unit when the

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wireless communication sending unit is in a given proximity to the wireless communication receiving unit thereby enabling a determination of whether the wireless communication sending unit is in the given proximity with the wireless communication receiving unit (Kabala - column 2 lines 42-56, column 3 lines 48-62, column 4 lines 29-40, and column 5 lines 11-29).

Consider **claim 4, as applied to claim 3 above; and claim 64, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing an identifying association between the wireless communication sending unit and the first mobile body and wherein the step of emitting a signal from the wireless communication sending unit comprises emitting periodic identification signals (Kabala - column 2 lines 13-26, column 2 lines 42-56, column 3 lines 48-62, and column 4 lines 13-40).

Consider **claim 5, as applied to claim 4 above; and claim 66, as applied to claim 64 above**, Kabala as modified by Chaco et al. further teach wherein the central server retains information regarding the first mobile body and further comprising the step of enabling a transmission of information regarding the first mobile body to the wireless communication receiving unit in response to a receipt of a signal from the wireless communication sending unit by the wireless communication receiving unit (Kabala - column 2 lines 26-34, column 2 lines 57-61, column 4 lines 35-40, column 5 lines 1-39, column 6 lines 1-30, column 6 lines 56-59, and column 8 lines 54-67).

Consider **claim 6, as applied to claim 5 above; claim 47, as applied to claim 32 above; and claim 65, as applied to claim 64 above**, Kabala as modified by Chaco et al. further teach wherein the wireless communication sending unit operates under an infrared wireless communication protocol and wherein the wireless communication receiving unit comprises an

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infrared enabled handheld electronic information device (Kabala - column 2 lines 35-38, column 3 lines 48-62, column 7 lines 7-19, and column 8 lines 39-53).

Consider **claim 7, as applied to claim 6 above**, Kabala as modified by Chaco et al. further teach the wireless local area network (Kabala - Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45).

However, Kabala as modified by Chaco et al. fail to teach the wireless local area network employs a Wireless Fidelity (Wi-Fi) network architecture.

Nonetheless, the Examiner takes Official Notice of the fact it is well known in the art to use the term Wi-Fi to describe the generic wireless interface of mobile computing devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of a Wireless Fidelity (Wi-Fi) network architecture into the teachings of Kabala as modified by Chaco et al. for the purpose of enabling mobile devices to connect to the Internet when in proximity of an access point or to enable peer-to-peer mode.

Consider **claim 8, as applied to claim 5 above**, Kabala as modified by Chaco et al. further teach wherein the wireless communication receiving unit has a display screen for displaying transmitted information regarding the first mobile body (Kabala - column 8 lines 28-38).

Consider **claim 9, as applied to claim 5 above; claim 48, as applied to claim 34 above; and claim 67, as applied to claim 66 above**, Kabala as modified by Chaco et al. further teach wherein the central server retains a history of signals received by the wireless communication receiving unit from the wireless communication sending unit and of information transmitted to

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the wireless communication receiving unit in response to the receipt of signals from the wireless communication sending unit (Kabala - column 2 lines 27-34, column 3 lines 12-21, column 5 lines 1-39, column 6 lines 1-30, column 7 lines 46-62, and column 8 lines 54-67).

Consider **claim 10, as applied to claim 1 above; and claim 68, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach wherein the step of providing a wireless communication sending unit comprises providing a plurality of wireless communication sending units, each wireless communication sending unit for being retained relative to a different mobile body (Kabala - column 2 lines 13-26, column 2 lines 42-56, column 3 lines 12-21, column 3 lines 48-62, and column 4 lines 13-51).

Consider **claim 11, as applied to claim 10 above; claim 49, as applied to claim 32 above; and claim 69, as applied to claim 68 above**, Kabala as modified by Chaco et al. further teach comprising the step of enabling an emission of periodic signals from each of the plurality of wireless communication sending units and further comprising the step of providing a means for preventing cross talk between the plurality of wireless communication sending units (Kabala - column 3 lines 48-62, column 4 lines 13-40, and column 6 lines 29-45).

Consider **claim 12, as applied to claim 11 above, claim 50, as applied to claim 49 above; and claim 70, as applied to claim 69 above**, Kabala as modified by Chaco et al. further teach wherein the periodic signals emitted by each wireless communication sending unit have at least one wait time and wherein the means for preventing cross talk between the plurality of wireless communication sending units comprises a means for individually varying the wait time for each wireless communication sending unit (Kabala – column 4 lines 13-52, and column 6 lines 29-45; Chaco et al. – 1-14).

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Consider **claim 19, as applied to claim 8 above; and claim 34, as applied to claim 33 above**, Kabala as modified by Chaco et al. further teach comprising the step of enabling a transmission of information regarding the first mobile body to the wireless communication receiving unit in response to a receipt of a signal from the wireless communication sending unit, the transmission of information comprising enabling receiving an identifying signal from the wireless communication sending unit, looking up the identifying signal in a database retained on the central server, and transmitting information regarding the first mobile body from the central server to the wireless communication receiving unit (Kabala - column 4 lines 52-67, and column 5 lines 1-29).

Consider **claim 20, as applied to claim 19 above; and claim 35, as applied to claim 34 above**, Kabala as modified by Chaco et al. further teach wherein the wireless communication receiving unit has a means for enabling a request for additional information regarding the first mobile body from the central server (Kabala - column 5 lines 1-29, and column 6 lines 1-18).

Consider **claim 21, as applied to claim 20 above; and claim 36, as applied to claim 35 above**, Kabala as modified by Chaco et al. further teach the additional information of the first mobile body (Kabala – column 5 lines 1-29, and column 6 lines 1-18).

However, Kabala as modified by Chaco et al. fail to teach wherein the additional information includes an image of the first mobile body.

Nonetheless, the Examiner takes Official Notice of the fact that the identification code(s) received from the badge can be additional information to identify the first mobile body such as an image as well as the name of an attendee and the place of employment.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of an image of the first mobile body into the teachings of Kabala as modified by Chaco et al. for the purpose of identifying the first mobile body such as an attendee at a convention center/trade show.

Consider **claim 22, as applied to claim 19 above; claim 37, as applied to claim 33 above; and claim 77, as applied to claim 66 above**, Kabala as modified by Chaco et al. further teach further comprising the step of initiating an automatic request for additional information regarding the first mobile body based on a predetermined condition (Kabala - column 5 lines 1-29).

Consider **claim 23, as applied to claim 22 above; claim 38, as applied to claim 37 above; and claim 78, as applied to claim 77 above**, Kabala as modified by Chaco et al. further teach wherein the step of initiating an automatic request for additional information regarding the first mobile body comprises initiating an automatic request based on a receipt of periodic signals from the wireless communication sending unit for a continuous predetermined time (Kabala - column 5 lines 1-29).

Consider **claim 24, as applied to claim 22 above; claim 39, as applied to claim 37 above; and claim 79, as applied to claim 77 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for determining when the wireless communication sending unit has come within a predetermined approximate range of the wireless communication receiving unit and wherein the step of initiating an automatic request for additional information regarding the first mobile body comprises initiating an automatic request based on the wireless communication sending unit coming within the predetermined approximate

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range of the wireless communication receiving unit (Kabala - column 2 lines 42-56, column 3 lines 48-62, column 4 lines 29-40, and column 5 lines 1-29).

Consider **claim 25, as applied to claim 24 above; claim 40, as applied to claim 39 above; and claim 80, as applied to claim 79 above**, Kabala as modified by Chaco et al. further teach wherein the step of emitting periodic signals from the wireless communication sending unit comprises emitting a first periodic signal over a first distance range and a second periodic signal over a second distance range wherein the second distance range is smaller than the first distance range and wherein the automatic request is initiated in response to a receipt of the second periodic signal by the wireless communication receiving unit (Kabala – column 3 lines 48-62, column 4 lines 29-40, and column 5 lines 1-29).

Consider **claim 26, as applied to claim 3 above; claim 41, as applied to claim 32 above; and claim 81, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a stationary wireless communication receiving unit for being disposed in a stationary location and for receiving a signal from the wireless communication sending unit by the stationary wireless communication receiving unit when the wireless communication sending unit is in a given proximity to the stationary wireless communication receiving unit thereby enabling a determination of whether the wireless communication sending unit is in the given proximity with the stationary wireless communication receiving unit and, therefore, an approximate location of the wireless communication sending unit (Kabala - column 3 lines 48-62, column 5 lines 1-29, column 5 lines 40-67, and column 7 lines 7-45).

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Consider **claim 27, as applied to claim 3 above; claim 42, as applied to claim 32 above; and claim 82, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a continuously operable wireless communication receiving means disparate from the wireless communication receiving unit for ensuring a continuous receipt of signals from the wireless communication sending unit (Kabala column 2 lines 13-26, column 2 lines 42-56, column 3 lines 48-67, and column 8 lines 1-38).

Consider **claim 28, as applied to claim 3 above; claim 43, as applied to claim 32 above; and claim 83, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a triangulation server with a means for querying the wireless access point as to a relative signal strength of the wireless communication sending unit to enable an estimate of the location of the wireless communication sending unit (Kabala - column 2 lines 57-67, column 3 lines 1-11, column 4 lines 41-51, column 4 lines 55-67, column 7 lines 7-45, and column 8 lines 19-28).

Consider **claim 29, as applied to claim 28 above; claim 44, as applied to claim 43 above; and claim 84, as applied to claim 83 above**, Kabala as modified by Chaco et al. further teach comprising the step of testing signal strengths received by the triangulation server based on relative locations of wireless communication sending units and the step of comparing test signal strengths for known locations relative to received signal strengths for unknown locations to approximate unknown locations of wireless communication sending units (Kabala - column 2 lines 57-67, column 3 lines 1-11, column 4 lines 41-51, column 4 lines 55-67, column 7 lines 7-45, and column 8 lines 19-28).

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Consider **claim 30**, as applied to **claim 3** above; **claim 45**, as applied to **claim 32** above; and **claim 85**, as applied to **claim 63** above, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for enabling an ignoring by the wireless communication receiving unit of signals received from a selected wireless communication sending unit (Chaco et al. – column 5 lines 40-52).

Consider **claim 31**, as applied to **claim 3** above; **claim 46**, as applied to **claim 32** above; and **claim 86**, as applied to **claim 63** above, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for inducing an alert relative to the wireless communication receiving unit in response to a receipt of a signal from a selected wireless communication sending unit (Kabala - column 6 lines 29-45).

Consider **claim 32**, Kabala teaches a method for the wireless information retrieval regarding a person and for disseminating content based on retrieved information (Abstract, column 2 lines 13-26, column 3 lines 48-62, and column 4 lines 13-29), the method comprising the steps of:

providing a plurality of wireless communication sending units, each for being retained by a person about whom information is to be retrieved, wherein each wireless communication sending unit comprises a means for emitting a signal (column 2 lines 13-26, column 3 lines 48-62, column 4 lines 13-40, and column 8 lines 39-53);

providing an identifying association between each wireless communication sending unit and a given person (column 2 lines 13-26, column 3 lines 48-62, and column 4 lines 13-40);

providing a plurality of wireless communication receiving units, each for being retained by a person who is to receive information, wherein each wireless communication sending unit

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comprises a means for receiving the signal emitted by the wireless communication sending units (column 2 lines 13-26, column 3 lines 48-62, column 4 lines 13-40, and column 8 lines 1-38);

providing at least one central server for retaining information wherein the central server retains information regarding a person who is to retain wireless communication sending units (column 2 lines 13-26, column 3 lines 48-62, column 4 lines 13-40, and column 8 lines 54-67);

providing at least one wireless access point (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

establishing a wireless local area network arrangement involving the wireless communication sending units, the wireless communication receiving units, the central server, and the wireless access point (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

enabling an emission of an identifying signal from the wireless communication sending units (column 3 lines 48-62, column 4 lines 13-40, and column 8 lines 39-53); and

enabling a transmission of information to a given wireless communication receiving unit regarding a person retaining a wireless communication sending unit in response to a receipt of a signal from the wireless communication sending unit retained by that person by the wireless communication receiving unit receiving the signal (column 4 lines 52-67, and column 5 lines 1-29).

However, Kabala fails to teach persons among a group of persons.

In the related art, Chaco et al. specifically teach persons among a group of persons (column 3 lines 12-57).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chaco et al. into the teachings of Kabala for the purpose of having a compact and intelligent badge or bracelet attached to an object or facility personnel for determining the location of the object or facility personnel wherein the portable badges or units are compact in size and include capability to optimize the efficiency of operation.

Consider **claim 57, as applied to claim 32 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for enabling a recording to the central server of information relating to a person retaining a wireless communication sending unit by a person retaining a wireless communication receiving unit (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, and column 9 lines 3-22).

Consider **claim 58, as applied to claim 32 above; and claim 87, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for providing a scoring of levels of correlation between parameters established by a person retaining a wireless communication receiving unit and characteristics of a person retaining a wireless communication sending unit (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, and column 9 lines 3-22).

Consider **claim 59, as applied to claim 58 above; and claim 88, as applied to claim 87 above**, Kabala as modified by Chaco et al. further teach wherein the means for providing a scoring of levels of correlation between parameters established by a person retaining a wireless communication receiving unit and characteristics of a body retaining a wireless communication sending unit comprises a means for enabling a scoring of levels of correlation relative to different classes of bodies retaining wireless communication sending units employing at least

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one different parameter for each class of bodies (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, and column 9 lines 3-22).

Consider **claim 60, as applied to claim 48 above; and claim 89, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for enabling a selective review of information relating to signals received by the wireless communication receiving units and of information transmitted to the wireless communication receiving units in response to the receipt of signals from the wireless communication sending units (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, column 8 lines 1-38, and column 9 lines 3-22).

Consider **claim 61, as applied to claim 60 above; and claim 90, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for enabling Internet access to details regarding the history of signals received by the wireless communication receiving units from the wireless communication sending units and of information transmitted to the wireless communication receiving units in response to the receipt of signals from the wireless communication sending units (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, column 8 lines 1-38, and column 9 lines 3-22).

Consider **claim 62, as applied to claim 60 above; and claim 91, as applied to claim 63 above**, Kabala as modified by Chaco et al. further teach comprising the step of providing a means for enabling varied levels of access to information based on user-specific authorizations (Kabala – column 1 lines 28-52, column 3 lines 48-62, column 4 lines 52-67, column 7 lines 46-67, column 8 lines 1-38, and column 9 lines 3-22).

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Consider **claim 63**, Kabala teaches a system for wireless information retrieval regarding a mobile body and for disseminating content based on retrieved information (Abstract, column 2 lines 13-26, column 3 lines 48-62, and column 4 lines 13-29), the system comprising:

a wireless communication sending unit for being retained relative to a first mobile body wherein the wireless communication sending unit comprises a means for emitting a periodic signal (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

a wireless communication receiving unit for being retained relative to a second object wherein the wireless communication sending unit comprises a means for receiving the signal emitted by the wireless communication sending unit (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

a central server for retaining information (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45);

a wireless access point (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45); and

wherein the wireless communication sending unit, the wireless communication receiving unit, the central server, and the wireless access point cooperate to form a wireless local area network arrangement (Abstract, column 2 lines 13-56, column 3 lines 48-62, and column 7 lines 7-45).

However, Kabala fails to specifically teach a second mobile body.

In the related art, Chaco et al. teach a second mobile body (column 3 lines 12-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chaco et al. into the teachings of Kabala for the

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purpose of having a compact and intelligent badge or bracelet attached to an object or facility personnel for determining the location of the object or facility personnel wherein the portable badges or units are compact in size and include capability to optimize the efficiency of operation.

Claims 13-18, 51-56, and 71-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kabala (U.S. Patent # 6,539,393)** in view of **Chaco et al. (U.S. RE37,531 E)**, and further in view of **Chaco (U.S. Patent # 5,465,082)**.

Consider **claim 13, as applied to claim 12 above; claim 51, as applied to claim 50 above; and claim 71, as applied to claim 70 above**, Kabala as modified by Chaco et al. teach wherein each periodic signal comprises at least one transmission of an identification number for each wireless communication sending unit (Kabala - column 2 lines 13-26, column 2 lines 42-52, column 3 lines 48-62, column 4 lines 24-40, column 6 lines 29-45)

However, Kabala as modified by Chaco et al. fail to teach wherein the means for selectively varying the wait time comprises a means for generating a random wait time based on a mathematical calculation involving the identification number of the wireless communication sending unit.

In the related art, Chaco teaches wherein the means for selectively varying the wait time comprises a means for generating a random wait time based on a mathematical calculation involving the identification number of the wireless communication sending unit (Abstract, column 5 lines 26-33, column 14 lines 50-61, column 17 lines 1-33, and column 22 lines 18-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chaco into the teachings of Kabala as

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modified by Chaco et al. for the purpose of assigning different time intervals used by each entity based on a random number generator to avoid potential overlap of identification signals from various entities.

Consider **claim 14, as applied to claim 13 above; claim 52, as applied to claim 51 above; and claim 72, as applied to claim 71 above**, Kabala as modified by Chaco et al. and further modified by Chaco (5,465,082) further teach wherein each periodic signal emitted from each wireless communication sending unit comprises an emitting of the identification number for the wireless communication sending unit (Kabala - column 2 lines 13-26, column 2 lines 42-52, column 3 lines 48-62, column 4 lines 24-40, column 6 lines 29-45) a plurality of times each emitting of the identification number separated by a between-number wait time and with each periodic signal separated by a between-signal wait time (Chaco - Abstract, column 5 lines 26-33, column 14 lines 50-61, column 17 lines 1-33, and column 22 lines 18-40).

Consider **claim 15, as applied to claim 13 above; claim 53, as applied to claim 51 above; and claim 73, as applied to claim 71 above**, Kabala as modified by Chaco et al. and further modified by Chaco (5,465,082) further teach wherein the identification number for each wireless communication sending unit is formed by a plurality of bytes and wherein the mathematical equation involving the identification number involves a successive multiplication of the bytes forming the identification number (Chaco et al. – column 8 lines 18-44; Chaco (5,465,082) - column 14 lines 50-61, and column 17 lines 1-33).

Consider **claim 16, as applied to claim 15 above; claim 54, as applied to claim 53 above; and claim 74, as applied to claim 73 above**, Kabala as modified by Chaco et al. and further modified by Chaco (5,465,082) further teach wherein each wait time is within a range of

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legal wait times with a minimum wait time and a maximum wait time separated by a number of units and wherein the mathematical equation comprises multiplying successive bytes of each identification number and determining a modulo of that number until all bytes are used to produce a product, then dividing the product by the modulo to produce a result and multiplying the result by the number of units in the range of legal wait times, and then adding the minimum wait time thereto to produce the wait time (Chaco - Abstract, column 5 lines 26-33, column 14 lines 50-61, column 17 lines 1-33, and column 22 lines 18-40).

Consider claim 17, as applied to claim 16 above; claim 56, as applied to claim 55 above; and claim 75, as applied to claim 74 above, Kabala as modified by Chaco et al. and further modified by Chaco (5,465,082) further teach wherein each periodic signal emitted from each wireless communication sending unit comprises an emitting of the identification number for the wireless communication sending unit (Kabala - column 2 lines 13-26, column 2 lines 42-52, column 3 lines 48-62, column 4 lines 24-40, column 6 lines 29-45) a plurality of times each emitting of the identification number separated by a between-number wait time and with each periodic signal separated by a between-signal wait time (Chaco - Abstract, column 5 lines 26-33, column 14 lines 50-61, column 17 lines 1-33, and column 22 lines 18-40).

Consider claim 18, as applied to claim 17 above; claim 56, as applied to claim 55 above; and claim 76, as applied to claim 75 above, Kabala as modified by Chaco et al. and further modified by Chaco (5,465,082) further teach wherein each wireless communication sending unit has a plurality of infrared LEDs and wherein each periodic signal comprises an emitting of the identification number by each of the plurality of infrared LEDs in succession (Kabala - column 8 lines 39-53; Chaco et al. – column 7 lines 44-60).

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892 Notice of Reference Cited).

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

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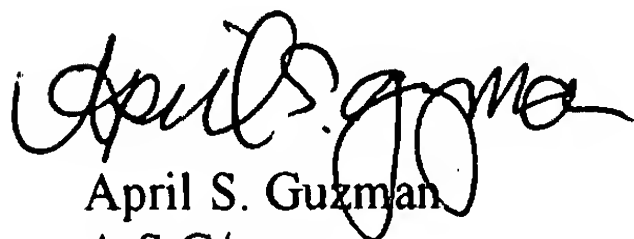
Any inquiry concerning this communication or earlier communications from the examiner should be directed to April S. Guzman whose telephone number is 571-270-1101. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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April S. Guzman

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06/14/07

EDAN ORGAD
PRIMARY PATENT EXAMINER

Edan Orgad 6/19/07